

MEETING MINUTES
Board of Alcohol and Drug Counseling
January 12, 2017

These minutes were
approved by the Board on
April 13, 2017

1. ROLL CALL

The meeting of the Board of Alcohol and Drug Counseling was called to order by Christine Chasek, Chair, at 9:06 a.m., in Lower Level Room A, State Office Building, 301 Centennial Mall South, Lincoln, Nebraska. Copies of the agenda were mailed to the Board members and other interested parties in accordance with the Open Meetings Law.

The following members answered roll call:

Members Present:	Christine Chasek	-	Chair
	Lori Cleveland	-	Secretary
	Jill Colegrove	-	Member
	Tomeka Johnson	-	Member
	Ian Lemmer	-	Member
	Natasha Robinson	-	Member
	Marlene Schneider	-	Vice-Chair
Members Absent:	Jody Gilfillan	-	Member
Staff Present:	Ami Huff, Assistant Attorney General		
	Kris Chiles, Licensure Unit		
	Nancy Herdman, Licensure Unit		
	Carla Cue, Investigations		
	Kathleen Krueger, Investigations		

The members and staff introduced themselves as this was the first meeting for new member Jill Colegrove.

2. ADOPTION OF AGENDA

MOTION: Robinson moved, seconded by Schneider, to approve the agenda. A roll call vote was taken. Voting aye: Chasek, Cleveland, Colegrove, Johnson, Lemmer, Robinson, Schneider (7). Voting nay: None (0). Absent: Gilfillan (1). Motion carried.

3. APPROVAL OF MINUTES (10-13-16)

MOTION: Schneider moved, seconded by Lemmer, to approve the minutes of 10-13-16. A roll call vote was taken. Voting aye: Chasek, Cleveland, Johnson, Lemmer, Robinson, Schneider (6). Voting nay: None (0). Abstain: Colegrove (1). Absent: Gilfillan (1). Motion carried.

4. INVESTIGATIVE REPORTS/COMPLIANCE MONITORING AND APPLICANT CONVICTION/SENSITIVE INFORMATION – CLOSED SESSION

MOTION: Schneider moved, seconded by Robinson, to enter into closed session at 9:19 a.m. to hear discussions of investigative reports, and for the prevention of needless injury to the reputations of the individuals. A roll call vote was taken. Voting aye: Chasek, Cleveland, Colegrove, Johnson, Lemmer, Robinson, Schneider (7). Voting nay: None (0). Abstain: None (0). Absent: Gilfillan (1). Motion carried.

9:47 p.m. - Cleveland departed meeting (conflict)
10:03 a.m. - Cue and Krueger departed meeting
Cleveland entered meeting

MOTION: Cleveland moved, seconded by Robinson, to return to open session at 10:25 a.m. A roll call vote was taken. Voting aye: Chasek, Cleveland, Colegrove, Johnson, Lemmer, Robinson, Schneider (7). Voting nay: (0). Absent: Gilfillan (1). Motion carried.

5. REVIEW AND RECOMMENDATIONS – OPEN SESSION

a. Applications and Reinstatements

Convictions Reviewed

Erika Guinan - PLADC

MOTION: Lemmer moved, seconded by Schneider, to recommend issuance of the PLADC with no terms and conditions. A roll call vote was taken. Voting aye: Chasek, Cleveland, Colgrove, Johnson, Lemmer, Robinson, Schneider (7). Voting nay: None (0). Absent: Gilfillan (1). Abstain: None (0). Motion carried.

Jessa Lovely - PLADC

MOTION: Schneider moved, seconded by Lemmer, to defer the application and request an updated evaluation (psychological and alcohol/drug). Chasek, Cleveland, Colgrove, Johnson, Lemmer, Robinson, Schneider (7). Voting nay: None (0). Absent: Gilfillan (1). Abstain: None (0). Motion carried.

10:39 a.m. - Break
10:51 a.m. - Meeting resumed

6. NEW BUSINESS

• Justice Behavioral Health Committee

Chasek distributed the September 14, 2016 meeting minutes. She highlighted the following:

- Working on Standardized Model to include mental health services
- Use of the rubrics
- Prescription drug monitoring program
- Added mental health court and veterans court

Chasek was not able to attend the December meeting as the remote connections were having problems. Chasek distributed the December 1, 2016, report on Legislative Resolution 413 and highlighted the findings on binge drinking and workforce shortage.

• IC&RC Meeting Report

Robinson distributed a summary of the Fall Annual Meeting. Some of the highlights were:

- More complaints on ethical violations
- New examination retest policy of 90 day wait following failure and after 4 consecutive failures, must do remedial actions (effective 5/2017)
- Fall meeting will be in Omaha on October 16-18, 2017
- Move from 270 to 300 education hours for ADC
- As of February 2017, removing long case study in written examination and doing short vignettes
- Looking at other possible testing vendors

• Disciplinary/Non-Disciplinary Action Report, License Statistics, Examination Statistics & Administrative Fees

Chiles distributed the disciplinary/non-disciplinary report for 2016.

Chiles reported the following statistics:

LADC – 667
PLADC - 372

Chiles reported the following examination information for 2016:

46 passed, 6 failed

Chiles distributed the audit compliance reported. She reported 54 were audit and some licensees did not pass. She stated some of the reasons were: 1) could not produce their hours, 2) did not have enough alcohol/drug hours and too many in the non-alcohol/drug area, and 3) too many home study hours

Chiles commented that if licensees have outstanding administrative penalty fees, license renewal can be refused.

7. NEW BUSINESS

a. 2017 Legislative Session

Chiles reported on the following bills:

LB 88 – allows military spouses to obtain a temporary license in a variety of professions if those spouses meet the comparable and equivalent requirements. The license will be valid for six months, allowing the spouses the time to get their permanent certificate or permit.

LB107 – Closes a gap in current statute that prevents an adult who holds a position of special trust with a child from being held accountable for sexual abuse of that child if the child is between 16 and 18 years of age. This includes, but is not limited to, health care providers, school employees, and youth facility employees.

LB 36 – Requires agencies to review all rules and regulations pertaining to the issuance of occupational licensing. The review process requires agencies to complete Critical Assessment Documents every 5 years.

LB 173 – Relates to employment and prohibits discrimination based on sexual orientation and gender identity. Under LB 173 it would be an unlawful employment practice for an employer, an employment agency, or a labor organization to discriminate against an individual on the basis of sexual orientation or gender identity. The Act applies to employers having 15 or more employees; employers with state contracts regardless of the number of employees; the State of Nebraska; governmental agencies and political subdivisions. Currently law prohibits employment discrimination based on race, color, religion, sex, disability, marital status or national origin.

Chiles stated that the Department had submitted a bill proposal but it had not yet been introduced. Some of the items included were 1) combining mental health and substance treatment centers including eliminating the outpatient license, 2) PLMHP would register supervisor after obtained the license upon finding employment, and 3) modify reciprocity for LADC when coming from a non-IC&RC state.

b. Approval of Method of Noticing Meeting Agendas

Currently the agendas are on the web, posted on the Licensure Unit bulletin board and sent out to anyone who requests a copy.

MOTION: Cleveland moved, seconded by Colegrove, to maintain the same method of noticing meeting agendas as in the past. A roll call vote was taken. Voting aye: Chasek, Cleveland, Colegrove, Johnson, Lemmer, Robinson, Schneider (7). Voting nay: None (0). Absent: Gilfillan (1). Abstain: None (0). Motion carried.

c. Elections and Appointments

- Officers

MOTION: Schneider moved, seconded by Robinson, to maintain the same slate of officers as 2016. A roll call vote was taken. Voting aye: Chasek, Cleveland, Colegrove, Johnson, Lemmer, Robinson, Schneider (7). Voting nay: None (0). Absent: Gilfillan (1). Abstain: None (0). Motion carried.

Investigative Consultant, CE and Initial Education Consultants, and IC&RC Delegate

Cleveland was appointed as the investigative consultant, Chasek and Schneider as CE and initial education consultants and Robinson as the IC&RC delegate.

8. REGULATION WORK SESSION

The work session was a review and discussion of possible revisions to the regulations.

1:30 p.m. - break
1:40 p.m. - meeting resumed
2:35 p.m. - Schneider departed the meeting

9. ADJOURNMENT

The chair declared the meeting adjourned at 2:51 p.m.

Respectfully Submitted,

Lori Cleveland, Secretary
Board of Alcohol and Drug Counseling

Next Meeting: April 13, 2017

Recorded by: Nancy Herdman
Health Licensing Coordinator - Licensure Unit